



General Assembly

February Session, 2012

Raised Bill No. 254

LCO No. 1369

01369_____ENV

Referred to Committee on Environment

Introduced by:
(ENV)

***AN ACT RESTRICTING THE APPLICATION OF FERTILIZERS THAT
CONTAIN PHOSPHATE.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2012*) (a) Notwithstanding
2 chapter 427a of the general statutes, no person shall apply fertilizer, as
3 defined in section 22-111b of the general statutes, that contains
4 phosphate to an established lawn. For the purpose of this subsection,
5 an "established lawn" means any area of ground that is covered with
6 any species of grass for two or more growing seasons and that is
7 customarily kept mowed.

8 (b) Notwithstanding subsection (a) of this section, no person shall
9 apply any fertilizer, as defined in section 22-111b of the general
10 statutes, that contains phosphate to any lawn during the period
11 beginning November fifteenth and ending April first of the following
12 year.

13 (c) Notwithstanding chapters 427a and 441 of the general statutes
14 and subsections (a) and (b) of this section, no person shall apply any
15 fertilizer, as defined in section 22-111b of the general statutes, that

16 contains phosphate to any lawn, or any portion thereof, that is located
17 twenty feet or less from any brook, stream, river, lake, pond, sound or
18 any other body of water.

19 (d) On and after October 1, 2012, any person that sells fertilizer, as
20 defined in section 22-111b of the general statutes, in a retail
21 establishment, shall separately display fertilizer products that contain
22 phosphate from fertilizer products that do not contain phosphate. Such
23 person shall post a sign at the point of sale for such fertilizer products
24 that states the following: "PHOSPHATE RUNOFF CAN POSE A
25 THREAT TO WATER QUALITY. CONNECTICUT LAW PROHIBITS:
26 (1) THE APPLICATION OF FERTILIZER THAT CONTAINS
27 PHOSPHATE TO AN ESTABLISHED LAWN, (2) THE APPLICATION
28 OF FERTILIZER THAT CONTAINS PHOSPHATE TO ANY LAWN
29 FROM NOVEMBER 15TH THROUGH APRIL 1ST, AND (3) THE
30 APPLICATION OF FERTILIZER THAT CONTAINS PHOSPHATE TO
31 ANY PART OF A LAWN THAT IS LOCATED WITHIN TWENTY
32 FEET OF ANY BODY OF WATER." Such sign shall be readily visible to
33 consumers of fertilizer at such retail establishment and shall be printed
34 in black lettering not less than thirty-eight-point type size upon a white
35 background.

36 (e) The Commissioner of Agriculture may adopt regulations, in
37 accordance with chapter 54 of the general statutes, to implement the
38 provisions of this section.

39 (f) Any person who violates subsection (a), (b), (c) or (d) of this
40 section shall be assessed a civil penalty of five hundred dollars.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2012	New section

Statement of Purpose:

To reduce the effect that phosphate runoff has on the state's bodies of water by restricting the application of fertilizers that contain phosphate.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]